

12/10/01

J1048 U.S. PTO

12-1-01

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PTO/SB/05 (03-01)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

MIT8178CONT

First Inventor

HUNG

Title

Electrostatically-Controllable Diffraction Grating

Express Mail Label No.

ET773036827US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 61]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 36]
5. Oath or Declaration [Total Pages 6]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)of prior application No. 09, 537,936

Prior application information.

Examiner: K. AddisonGroup Art Unit 2834

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

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Theresa A. Lober

Registration No. (Attorney/Agent)

35,253

Signature



Date

12/10/2001

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	
Filing Date	12/10/2001
First Named Inventor	Hung
Examiner Name	
Group Art Unit	
Attorney Docket No.	MIT8178CONT

TOTAL AMOUNT OF PAYMENT (\$ 776.00

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to.

Deposit
Account
Number

19-2553

Deposit
Account
Name

Massachusetts Institute of Technology

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17

- ☐
- Applicant claims small entity status
-
- See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$)	Code (\$)	Code (\$)	Code (\$)	Code (\$)	Fee Description
101	740	201	370		Utility filing fee
106	330	206	165		Design filing fee
107	510	207	255		Plant filing fee
108	740	208	370		Reissue filing fee
114	160	214	80		Provisional filing fee

Fee Paid

740.00

SUBTOTAL (1) (\$ 740.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
22	-20** = 2	18.00	36.00
2	-3** = 0	84.00	0.00
Multiple Dependent			

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$)	Code (\$)	Code (\$)	Code (\$)	Code (\$)	Fee Description
103	18	203	9		Claims in excess of 20
102	84	202	42		Independent claims in excess of 3
104	280	204	140		Multiple dependent claim, if not paid
109	84	209	42		** Reissue independent claims over original patent
110	18	210	9		** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 36.00

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65			Surcharge - late filing fee or oath	
127	50	227	25			Surcharge - late provisional filing fee or cover sheet	
139	130	139	130			Non-English specification	
147	2,520	147	2,520			For filing a request for ex parte reexamination	
112	920*	112	920*			Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action	
115	110	215	55			Extension for reply within first month	
116	400	216	200			Extension for reply within second month	
117	920	217	460			Extension for reply within third month	
118	1,440	218	720			Extension for reply within fourth month	
128	1,960	228	980			Extension for reply within fifth month	
119	320	219	160			Notice of Appeal	
120	320	220	160			Filing a brief in support of an appeal	
121	280	221	140			Request for oral hearing	
138	1,510	138	1,510			Petition to institute a public use proceeding	
140	110	240	55			Petition to revive - unavoidable	
141	1,280	241	640			Petition to revive - unintentional	
142	1,280	242	640			Utility issue fee (or reissue)	
143	460	243	230			Design issue fee	
144	620	244	310			Plant issue fee	
122	130	122	130			Petitions to the Commissioner	
123	50	123	50			Processing fee under 37 CFR 1.17(q)	
126	180	126	180			Submission of Information Disclosure Stmt	
581	40	581	40			Recording each patent assignment per property (times number of properties)	
146	740	246	370			Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370			For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370			Request for Continued Examination (RCE)	
169	900	169	900			Request for expedited examination of a design application	

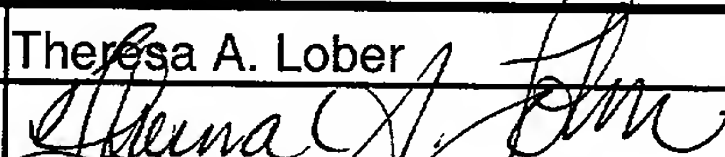
Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Theresa A. Lober	Registration No. (Attorney/Agent)	35,253	Telephone	978-369-2181
Signature		Date	December 10, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTED HERewith FOR FILING IS THE
NEW NONPROVISIONAL
PATENT APPLICATION

UNDER 37 C.F.R. §1.53(b)

OF

<u>Inventor Name</u>	<u>Inventor Address</u>	<u>Inventor Citizenship</u>
Elmer S. Hung	722 Bounty Drive #2218 Foster City, CA 94404 USA	USA
Erik R. Deutsch	143 Albany Street Apt. #213-B Cambridge, MA 02139 USA	USA
Stephen D. Senturia	98 Crowninshield Road Brookline, MA 02446 USA	USA

FOR

ELECTROSTATICALLY-CONTROLLABLE DIFFRACTION GRATING

Priority Under 35 U.S.C. §§120

This application claims the benefit of the below-identified non-provisional application:

<u>APPLICATION NUMBER</u>	<u>FILING DATE</u>
09/537,936	March 29, 2000

EXPRESS MAIL Mailing Label No.: ET773036827US

Date of Deposit: December 10, 2001

I hereby certify that this paper and all attachments are being deposited with the United State Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. 1.10 on the date indicated above, and is addressed to Box Patent Application, Assistant Commissioner For Patents, Washington, D.C. 20231.

Theresa A. Lober

December 10, 2001



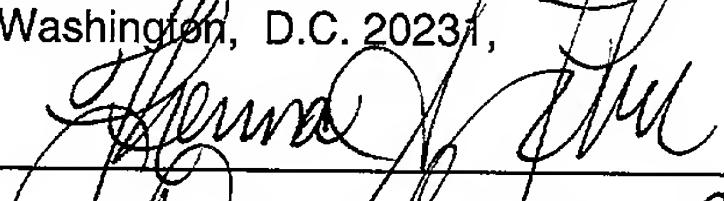
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hung et al.
Filed: December 10, 2001
For: Electrostatically-Controllable Diffraction Grating

BOX PATENT APPLICATION

THE ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

I hereby certify under 37 CFR 1.10
that this correspondence is being
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sufficient postage as "Express Mail Post Office to
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addressed to: Box Patent Application
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Washington, D.C. 20231,


December 10, 2001

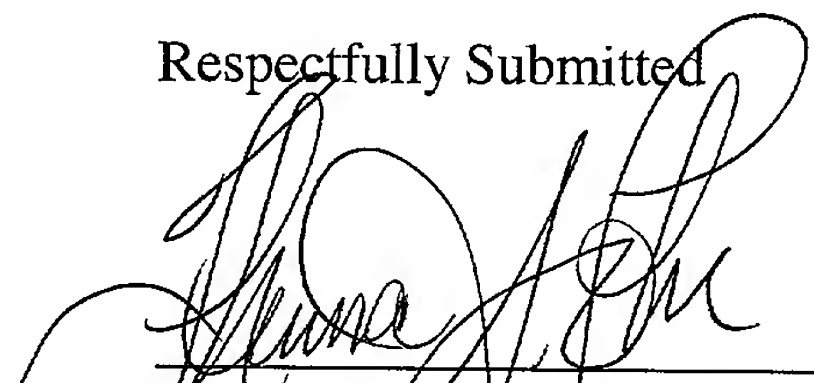
NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

I hereby certify that the invention disclosed in this new, Non-Provisional
Patent Application **has not been and will not be** the subject of an application
filed in another country, or under a multilateral agreement, that requires
publication at eighteen months after filing.

I hereby request that this Non-Provisional Application not be published
under 35 U.S.C. 122(b).

Date: December 10, 2001

Respectfully Submitted


Theresa A. Lober
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Agent for Applicants

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